

AMENDED IN ASSEMBLY APRIL 27, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1489

Introduced by Assembly Member Calderon

February 22, 2005

An act to amend Section 13082 of the Financial Code, relating to point-of-sale systems.

LEGISLATIVE COUNSEL'S DIGEST

AB 1489, as amended, Calderon. Point-of-sale systems.

Existing law requires that, whenever a point-of-sale system is changed or modified to include a video touch screen or nontactile keypad, the point-of-sale device also be equipped with a tactually discernible numerical keypad meeting specified requirements that enables a visually impaired person to enter personal information necessary to process a transaction. Existing law requires certain existing point-of-sale systems and certain systems to be sold on and after January 1, 2006, that include a video touch screen or nontactile keypad to be equipped with a tactually discernible keypad satisfying those requirements.

This bill would define the term “equipped” for the purposes of these provisions. *The bill would also require the point-of-sale devices to be equipped with either a tactually discernible keypad or other technology, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 13082 of the Financial Code is amended to read:

13082. (a) Whenever a point-of-sale system is changed or modified to include a video touch screen or any other nontactile keypad, the point-of-sale device that would include the video touch screen or nontactile keypad shall also be equipped with ~~a~~ *either of the following:*

(1) *A* tactually discernible numerical keypad similar to a telephone keypad containing a raised dot with a dot base diameter between 1.5 millimeters and 1.6 millimeters and a height between 0.6 millimeters and 0.9 millimeters on the number 5 key that enables a visually impaired person to enter his or her own personal identification number or any other personal information necessary to process the transaction in a manner that provides the opportunity for the same degree of privacy input and output available to all individuals.

(2) *Other technology, such as a radio frequency identification device, fingerprint biometrics, or some other mechanism that enables a visually impaired person to access the video touch screen device with his or her personal identifier and to process his or her transaction in a manner that provides the opportunity for the same degree of privacy input and output available to all individuals.*

(b) (1) On or before January 1, 2010, any existing point-of-sale system, except as provided in paragraph (2), that includes a video touch screen or any other nontactile keypad shall also be equipped with a tactually discernable keypad *or other technology* as described in subdivision (a).

(2) At locations equipped with two or less point-of-sale machines, only one point-of-sale machine shall be required to be equipped with a tactually discernible keypad *or other technology* on or before January 1, 2010, as described in subdivision (a).

(c) On and after January 1, 2006, a manufacturer or distributor shall be required to offer for availability touch screen or other nontactile point-of-sale devices to be used and sold in this state that are equipped with tactually discernible keypads *or other technology* as described in subdivision (a) that enable a visually impaired person to enter his or her own personal identification

1 number or any other personal information necessary to process a
2 transaction in a manner that ensures personal privacy of the
3 information being entered.

4 (d) As used in this section, “point-of-sale device” includes any
5 device used by a customer for the purchase of a good or service
6 where a personal identification number (PIN) is required, but
7 does not include the following:

8 (1) An automated teller machine as defined in subdivision (c)
9 of Section 13020.

10 (2) A point-of-sale device that is equipped to, or exclusively
11 services, motor fuel dispensers.

12 (e) As used in this section, “equipped” means any device
13 whether permanent or affixed to the unit by means of a braided
14 wire or some other tether that does not lend itself to easy removal
15 and otherwise meets the terms and conditions of this section. The
16 device should securely fit within the unit and be made of durable
17 material that allows the visually impaired user easy access.

18 (f) This section shall not be construed to preclude or limit any
19 other existing right or remedy as it pertains to point-of-sale
20 devices and accessibility.